

Is It Neglect?



Liv Sandberg

WI equine extension specialist

University of Wisconsin Madison

Department of Animal Sciences

sandberg@ansci.wisc.edu

<http://fyi.uwex.edu/horse/>

Is Neglect Higher in Horses Than for Other Animals?

- ▶ **60 Dead Horses Found on Wisconsin Farm: Police**

- ▶ May 2013 <http://www.nbcchicago.com/news/local/60-Dead-Horses-Found-On-Wisconsin-Farm-Police-206777401.html>

- ▶ **Fifty-five dead horses have been found buried on a Wisconsin farm**, just weeks after the farm's owners were arrested and charged with animal abuse.
- ▶ Authorities first searched the Pleasant Prairie farm on April 9 after police received an anonymous tip and discovered five dead horses in barn stalls as well as partially buried horse remains.
- ▶ **Starvation** was a contributing factor in their deaths, police said.
- ▶ Paula and David White, the owners of the farm located on the 1800 block of 128th Avenue, were arrested and charged with animal mistreatment and neglect.
- ▶ Authorities returned to the farm three weeks later with the American Society for the Prevention of Cruelty to Animals and another search warrant. During a three-day search, **they found the carcasses of 55 horses, 12 goats and two cows in two separate gravesites. The house on the property was deemed uninhabitable.**

Is Horse Neglect a New Problem?

- ▶ 2002 NC Horse Neglect case
- ▶ North Carolina v. Nance
- ▶ North Carolina Court of Appeals
562 S.E.2d 557
April 16, 2002
- ▶ Summary of Opinion
- ▶ Animal Control officers seized several horses belonging to defendant Nance that were pastured on property leased by her. The officers viewed the horses from public areas and concluded they were being neglected. Several days later, without first obtaining a search warrant, they seized the horses. Defendant sought to suppress the use of the horses as evidence on the ground they were seized in violation of the Fourth Amendment to the United States Constitution. The trial court refused to suppress the evidence, a jury convicted defendant of horse cruelty, and this appeal was taken.

Definitions Associated with Animal Welfare & Neglect

- ▶ Cruelty/abuse
 - ▶ Crime of inflicting pain, suffering or death on an animal - deliberate
- ▶ Neglect: considered a form of cruelty
 - ▶ Failure to provide basic care require for an animal to thrive.
 - ▶ Food, water, shelter, or veterinary care sufficient for survival
 - ▶ Deliberate or unintentional
 - ▶ <http://www.aaep.org/info/equine-welfare?osCsid=9ifq7qafgp13emsf260sd4qhm7>
 - ▶ Lack of care, ignorance, poverty, extenuating circumstances
 - ▶ Most common form of animal maltreatment investigated by authorities
- ▶ Hoarding:
 - ▶ AAEP: 'Neglect on a large scale involving numbers of animals and frequently inadequate housing and husbandry conditions'

Neglect Cases

- ▶ Identification of situation
 - ▶ Simple neglect of one or more animals
 - ▶ Most common
 - ▶ * Widespread neglect or animal hoarding
 - ▶ Less frequent than simple neglect
 - ▶ Seen more frequently now due to unwanted horse population
 - ▶ Hoarders
 - ▶ Take in too many animals than can be cared for
 - ▶ Blind to suffering of animals
- ▶ Intentional infliction of injury
 - ▶ rare

UHC Unwanted Horse Coalition

The mission of the Unwanted Horse Coalition is to reduce the number of unwanted horses and to improve their welfare through education and industry collaboration.

- ▶ Unwanted: sick, injured, or old - “unmanageable, unridable, or dangerous, or may have otherwise failed to meet the owner’s expectations”
 - ▶ <http://www.unwantedhorsecoalition.org/>
 - ▶ mission and goals <http://www.unwantedhorsecoalition.org/mission-and-goals/>
- ▶ 2007 - 170,000 unwanted horses
 - ▶ Current estimate a higher number of unwanted horses than 2007
 - ▶ 2009 Unwanted Horse Survey 63% equine rescues/retirement facilities, etc filled to capacity and turned away 38% horses brought to them

History of plight

- ▶ Closure of 3 US horse slaughter plants - 2007
 - ▶ 80,000-120,000 head per year
- ▶ Over breeding
- ▶ Economic down turn of the country
 - ▶ Lost jobs
 - ▶ Diminished recreational/discretionary money
 - ▶ Spiral into weak selling market
 - ▶ Environmental conditions
 - ▶ 2011 draught in south
 - ▶ *** <http://kut.org/post/hay-shortage-frazzles-texas-horse-owners>
 - ▶ 2012 drought in Midwest & western states
- ▶ Lack of cohesiveness/communication in horse industry



Dynamics Specific to Horses

- ▶ Reality of marketability of some horses
- ▶ Cost of euthanasia
 - ▶ Cost of continual boarding
- ▶ Lack of understanding of costs associated with owner/caring for a horse
 - ▶ Initial purchase is usually the small investment in comparison to care
 - ▶ Rescued horses
 - ▶ Additional care requirements
 - ▶ Feeding costs
- ▶ Not handled like a market animal, cattle, sheep, etc

Legal Statute of Care

- ▶ Legal definitions, level of definition & statutes
 - ▶ vary from state to state
 - ▶ Jurisdiction to jurisdiction
- ▶ Minimal care
 - ▶ Wisconsin
 - ▶ Water, feed, shelter, etc
 - ▶ DATCP
 - ▶ <http://docs.legis.wisconsin.gov/statutes/statutes/951/13>
- ▶ Animals are regarded by the law as property belonging to their owners, rather than as being with inherent rights to protection from abuse.

Illinois Legal Statute on Care

- ▶ Following is an example of a state statute (Illinois) on: a) an owner's duties towards animals, and b) cruel treatment of animals:
- ▶ 510 ILCS 70/3. Owner's duties
- ▶ Sec. 3. Owner's duties. Each owner shall provide for each of his animals:
 - ▶ (a) sufficient quantity of good quality, wholesome food and water;
 - ▶ (b) adequate shelter and protection from the weather;
 - ▶ (c) veterinary care when needed to prevent suffering; and
 - ▶ (d) humane care and treatment.
- ▶ Sec. 3.01. Cruel treatment. No person or owner may beat, cruelly treat, torment, starve, overwork or otherwise abuse any animal.
- ▶ No owner may abandon any animal where it may become a public charge or may suffer injury, hunger or exposure.

Veterinarian reporting AAEP

- ▶ Veterinary reporting
 - ▶ Not mandated by law in most jurisdictions
- ▶ Veterinarian determines most effective response
 - ▶ Client education, Monitor the situation, Report the incident
 - ▶ Severity, duration, frequency, evidence, risk
 - ▶ Specific protocol for clinic
- ▶ Considerations associated with reporting
 - ▶ Veterinarian - Client relationship
 - ▶ Loss of any contact with animals care
 - ▶ Good faith report unfounded or fail to report
 - ▶ Several states have granted immunity from liability

Evaluation Of Scenario

Keys aspects

- ▶ How much feed/water is actually there?
 - ▶ Is it available or on the outside of the fence?
 - ▶ Routine - store or purchase in smaller amounts
 - ▶ Quality?
 - ▶ Additional feeds available
 - ▶ Water available
 - ▶ Amount, clean, accessibility
- ▶ Facilities
 - ▶ Harmful areas for horses
 - ▶ Lack of ability to a dry area
 - ▶ Shelter



Evaluation Condition of the Horses

- ▶ Visible emaciation
 - ▶ BCS (body condition score)
 - ▶ 1-9, 1 being emaciated
 - ▶ 3 benchmark for possible care needed
 - ▶ Is the horse improving or declining in condition?
 - ▶ Loss of fat
 - ▶ Loss of muscle and organ failure
- ▶ Chronic and/or granulating wounds
- ▶ Other illnesses
 - ▶ Lack of shelter
 - ▶ Cold or heat



Evaluation

Questionable : Short Duration

- ▶ Loss of weight due to winter weather
- ▶ Feet
 - ▶ Missed a trim, small cracks, mildly over grown shoe
- ▶ Burrs in mane
- ▶ Open cut but healing or scars
- ▶ Lack of dry area due to weather conditions
 - ▶ Spring mud
- ▶ Spring thaw of manure
 - ▶ Old hay debris, etc



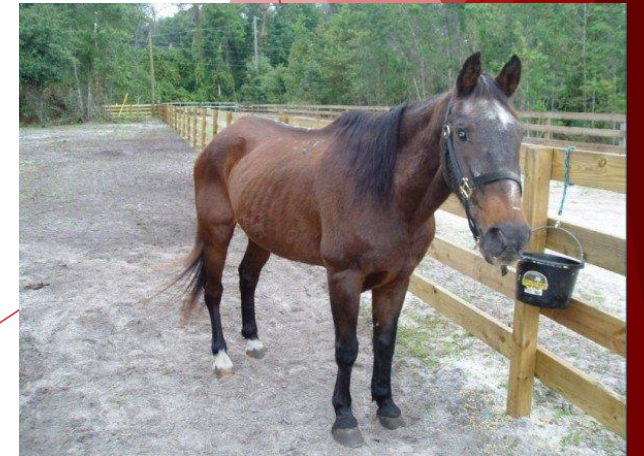
Evaluation SIGNS: Extended Duration

- ▶ Thin, emaciated
 - ▶ If blanketed, evaluate under blanket
- ▶ Entire herd, one or two horses in the herd
- ▶ Inability to move to food or water
 - ▶ Lameness, no energy
- ▶ Feet
 - ▶ Extremely long, curled toes, huge broken out sections, extremely overgrown shoes
- ▶ Open festering sores
 - ▶ Sores on body from laying down alot
- ▶ Scruffy coat condition
 - ▶ Permanent muddy, soiled areas on all of body and/or legs
 - ▶ Parasite infestation
- ▶ Lack of water, food, etc long term
- ▶ Tight halters/permanently on horse - with lead rope
- ▶ Living conditions
 - ▶ Lack of dry areas to stand/lay on - ie: slop pile
 - ▶ Lack of shelter from cold or heat*
 - ▶ Harmful surroundings



Evaluation Misleading signs

- ▶ Blanketed horses are doing great
- ▶ New looking facilities
 - ▶ Lack of feed and care
- ▶ Green pasture
 - ▶ Is there actually enough for them to eat or just enough to make the ground green
 - ▶ Are tall plants weeds?



Evaluation Misleading signs

- ▶ Not all situations are the same
 - ▶ Number of horses in herd affected
 - ▶ Severity of conditions
 - ▶ Rescued and being rehabbed
 - ▶ Older, thinner horse being cared for
 - ▶ Lack GI tract, teeth, etc to carry much weight
 - ▶ Otherwise cared for
 - ▶ Overweight horses
 - ▶ Exacerbates joint problems, lameness issues, etc
 - ▶ PG Mare



How Can You Help?

- ▶ Be aware! monitor situation
 - ▶ Be safe!
 - ▶ Document & have pictures (if possible)
 - ▶ Report to proper local authority
 - ▶ Understand procedure for your area
-
- ▶ Starts at the local level: contact & file a report
 - ▶ Animal control agency, sheriff, other law enforcement agency
 - ▶ Evaluate situation & severity
 - ▶ Make visits to facilities
 - ▶ Education for owners on care, resources available
 - ▶ Be patient
 - ▶ In most cases, let law enforcement handle the situation



Procedure 2 NC

- ▶ On 25 April 2002, Bethea informed defendant's husband, Stephen Dietrich, that he would be returning to the residence to photograph all the animals, and at the time, defendant's husband said that would be fine. However, when Bethea returned to photograph the horses, the animals were gone.
- ▶ On 2 May 2002, Bethea returned with several other members of the Animal Control staff. The officers photographed the animals, catalogued them, and listed them on the search warrant. Then the animals were taken to farms in the community and boarded while this case was pending. Defendant did not testify or offer any evidence on her behalf.

Seizure Considerations

- ▶ Cases often require multidisciplinary team approach
 - ▶ Law, Humane officers, Ag agents, Veterinarian
- ▶ Local authorities
 - ▶ Locate housing
 - ▶ HS or predesignated locations
 - ▶ Evidence gathering - Investigation process
 - ▶ Court process
- ▶ Horses ownership
 - ▶ Restrictions for selling
 - ▶ +++ Owners relinquish ownership of animals
- ▶ Caring for seized animals may require extensive and expensive investments
- ▶ Repayment for care during case
 - ▶ After case is closed
 - ▶ IF any \$\$\$ is available from owners

Costs Associated with Care

- ▶ UHC 2007 survey: Excess of \$1000 to restore rescue horse back to health
 - ▶ In addition to living expenses - annual range \$1800-\$2400
- ▶ Housing
- ▶ Feed
 - ▶ Hay alone
 - ▶ 2% of BW - 20 lbs/day - \$4/60 lb bale - 122 bales = \$488/year/horse
 - ▶ Special feeding for extreme cases
- ▶ Special care needs
 - ▶ Wounds, etc
 - ▶ medications
- ▶ Foot care
- ▶ Dental care
- ▶ Special handling
- ▶ Alternative handling costs:



Resources Available

- ▶ UHC
 - ▶ Gelding project
 - ▶ Rescue Facilities
 - ▶ Non Profit status
 - ▶ <http://www.keloland.com/news/article/investigates/investigation-into-dying-wild-horses-the-effort-to-save-them>
 - ▶ <http://www.keloland.com/news/article/investigates/local-horse-rescue-takes-in-starving-mustangs>
 - ▶ Rescue facility guidelines
 - ▶ AAEP
 - ▶ <http://www.aaep.org/info/equine-welfare?osCsid=9ifq7qafgp13emsf260sd4qhm7>
 - ▶ <http://www.aaep.org/custdocs/AAEPCareGuidelinesRescueRetirement2012.pdf>
 - ▶ UHC - linked to AAEP Rescue guidelines
- ▶ Adoption programs
 - ▶ <http://www.unwantedhorsecoalition.org/resources-for-owners/>
- ▶ Donations to appropriate assistance programs
- ▶ State Hay banks

Horse Owner Options

<http://www.unwantedhorsecoalition.org/resources-for-owners/>

- ▶ Sale, auction, trade, or lease
- ▶ Retirement facilities
- ▶ Donation to programs such as therapeutic riding centers, college or university riding or veterinary programs, or mounted police units
- ▶ Training the horse for a second career
- ▶ Euthanasia



WI 4-H Horse Incident

- ▶ 4-H youth in H & P project
 - ▶ Horse in poor condition brought to 4-H clinic
 - ▶ Leaders and clinician address the situation with owners
- ▶ Concurrent attention to lack of herd care by local officials
- ▶ Incident developments

WI 4-H Alterations to Protocol

- ▶ Updated H & P protocol
 - ▶ Development of care standards, guidelines for 4-H H & P project events
 - ▶ Set minimum standards for horses
 - ▶ Executive group of no less than 6 members
 - ▶ Mandatory veterinarian check prior to county fair
 - ▶ Same minimum set standards
 - ▶ Language inclusive to allowing youth to continue with H & P project, if a horse is no longer available

Closing Comments...

- ▶ Requirements for diagnosing neglect cases
 - ▶ Time
 - ▶ Experience
 - ▶ Sensitivity & tact
 - ▶ Accurate evaluation of situation
 - ▶ Courage!
 - ▶ Every situation is unique.
 - ▶ Use knowledge
 - ▶ To evaluate the situation to the best of your ability
 - ▶ Handle according to severity and urgency
 - ▶ Report to proper authorities
 - ▶ Be proactive in efforts to set guidelines for handling and care
- ▶ Stay focused on the goal - **Helping the Horse!**

